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Date: November 16, 2001

By:


Kay L. Gaviglio

PATENT
Docket No. GC372

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Timothy Fowler, et al.

Serial No.: 08/876,132

Filed: June 23, 1997

For: *Improved Enterobacteriaceae*
Fermentation Strains

)
)
) Group Art Unit: Unassigned

)
) Examiner: Unassigned

TRANSMITTAL

Attention: Office of Petitions
John Gillan
Commissioner for Patents
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Washington, DC 20231

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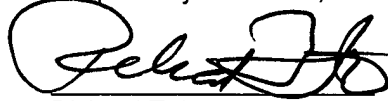
Sir:

With regard to the above-identified application, enclosed please find:

- (a) Petition to Revive an Abandoned Patent Application under 37 CFR 1.137(b) and Fee Authorization;
- (b) Copy of the Notice to File Missing Parts
- (c) Executed Declaration and Power of Attorney
- (d) Petition for Extension of Time for four (4) -months to respond to the Notice; and
- (e) Copy of the previously stale executed Declaration and Power of Attorney.
- (f) Associate Power

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 07-1048 (Docket No. GC372). A duplicate of this paper is enclosed.

Respectfully submitted,



Richard T. Ito
Registration No. 32,242

Date: November 16, 2001

Genencor International, Inc.
925 Page Mill Road
Palo Alto, CA 94304-1013
Tel: 650-846-4020
Fax: 650-845-6504

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>1/21/02</u>		2 Serial/Patent # <u>08/876132</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
<input checked="" type="checkbox"/>	Extension of Time			\$ <u>1440</u>							
	Notice of Appeal/Appeal			\$							
	Petition			\$							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
<div style="border: 1px solid black; height: 40px; width: 100%;"></div>		7 TOTAL AMOUNT OF REFUND		\$							
		8 TO BE REFUNDED BY:									
10 REASON:		Treasury Check									
	Overpayment	Credit Deposit A/C #:									
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">0</td> <td style="width: 20px;">7</td> <td style="width: 20px;">--</td> <td style="width: 20px;">1</td> <td style="width: 20px;">0</td> <td style="width: 20px;">4</td> <td style="width: 20px;">8</td> </tr> </table>			0	7	--	1	0	4	8
0	7	--	1	0	4	8					
<input checked="" type="checkbox"/>	No Fee Due (Explanation):										
<u>NOT necessary w/ Pet & Rev.</u>											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>GILLON</u>		TITLE: <u>ATTY</u>									
SIGNATURE: <u>[Signature]</u>		PHONE: <u>305-9199</u>									
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APPROVED: <u>Alana Kelly</u>		DATE: <u>2-7-02</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/876,132 06/23/97 FOWLER T CG372

0242/0905

DEBRA J GLAISTER
GENENCOR INTELLERNATION INC
180 KIMBALL WAY
SOUTH SAN FRANCISCO CA 94080

NOT ASSIGNED

DATE MAILED: 1802

09/05/97

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 130.- for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☒ large entity ☐ small entity (verified statement filed), is \$ 130.-.

- ☐ 1. The statutory basic filing fee is:
 - ☐ missing.
 - ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☐ 3. The oath or declaration:
 - ☐ is missing.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☒ 4. The signature(s) to the oath or declaration is/are:
 - ☒ missing.
 - ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$ _____ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the response.

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Initial Patent Examination Division (703) 308-1202

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